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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA
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7 KENNETH M. BELL,
8 Petitioner,
9 v.
10 WARDEN, et al.,
11 Respondents.
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Case No. 3:19-cv-00467-LRH-WGC
ORDER

13 Kenneth M. Bell, a federal prisoner at FCI Herlong, in Herlong, California,
14 initiated this habeas corpus action, *pro se*, on August 8, 2019, by filing an application to
15 proceed *in forma pauperis* (ECF No. 1), a habeas petition (ECF No. 1-1), a petition
16 requesting immediate release (ECF No. 1-2), and two motions to correct sentence
17 (ECF Nos. 1-3 and 1-4). Bell alleges that the Bureau of Prisons has miscalculated his
18 sentence, which was imposed by the United States District Court for the Eastern District
19 of California, that his sentence should be considered expired, and that he should be
20 released from custody. See Petition for Writ of Habeas Corpus (ECF No. 1-1). Bell has
21 drafted his petition as one pursuant to 28 U.S.C. § 2241. See *id.* Bell states that he has
22 also filed such a petition in the Eastern District of California. See *id.*

23 A habeas petition by a federal prisoner generally must be initiated in the federal
24 district in which the petitioner is held, see *Padilla v. Rumsfeld*, 542 U.S. 426, 443 (2004)
25 (“district of confinement” rule), or the district where the sentence was imposed, see
26 28 U.S.C. § 2255 (“the court which imposed the sentence”). Bell’s sentence was
27 imposed by the United States District Court for the Eastern District of California, and he
28 is incarcerated in that district. Bell does not indicate any reason why this Court would be

1 the proper venue for this action; there plainly is none. The Court will, therefore,
2 summarily dismiss this action. As Bell states that he has also initiated such an action in
3 the Eastern District of California, the Court need not consider transferring this action to
4 that court.

5 **IT IS THEREFORE ORDERED** that this action is dismissed.

6 **IT IS FURTHER ORDERED** that all the Petitioner's motions (ECF Nos. 1, 1-2,
7 1-3, 1-4) are denied as moot.

8 **IT IS FURTHER ORDERED** that, as reasonable jurists would not find the rulings
9 in this order to be debatable, the petitioner is denied a certificate of appealability.

10 **IT IS FURTHER ORDERED** that the Clerk of the Court shall enter judgment
11 accordingly.

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13 DATED this 15th day of August, 2019.

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15 LARRY R. HICKS
16 UNITED STATES DISTRICT JUDGE
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